

## Remarks

### Summary of the Office Action

Claims 1-11, 13-58, 60-90, 92-137, 139-169, 171-216, and 218-237 are pending in the application.

Claims 1-7, 9-11, 13-21, 24-42, 45-58, 60-67, 70-86, 88-90, 92-100, 103-121, 124-136, 139-146, 149-165, 167-169, 171-179, 182-200, 203-215, 218-225, and 228-237 are rejected under 35 U.S.C. §102(b) as being anticipated by Hendricks et al. U.S. Patent No. 5,798,785 (hereinafter "Hendricks '785").

Claims 8, 58, 87, 137, 166, and 216 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hendricks '785 in view of Hendricks et al. U.S. Patent No. 6,539,548 (hereinafter "Hendricks '548").

Claims 22, 23, 43, 44, 68, 68, 101, 102, 147, 148, 201, 202, 226, and 227 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hendricks '785 in view of Maissel et al. U.S. Patent No. 6,637,029 (hereinafter "Maissel").

### Summary Applicants' Reply

Applicants have amended claims 1, 8-10, 14-16, 18-20, 22-26, 29, 35-37, 39-41, 43-46, 51, 58, 60-62, 64-66, 68-80, 87-89, 93-95, 97-99, 101-105, 108, 114-116, 118-120, 122-125, 130, 137, 139-141, 143-145, 147-159, 167, 168, 173, 174, 176-178, 180-185, 187, 193-195, 197-199, 201-204, 209, 218-220, 222-224, and 226-236 to more particularly define the invention. Applicants have also cancelled claims 7, 12, 47-49, 57, 86, 126-128, 136, 165, 205-207, 215 without prejudice. No new matter has been added and the amendments are fully supported and justified by the specification.

Reconsideration of this application in light of the following remarks is hereby respectfully requested.

Applicants' Reply to the Prior Art Rejections

Claims 1-7, 9-11, 13-21, 24-42, 45-58, 60-67, 70-86, 88-90, 92-100, 103-121, 124-136, 139-146, 149-165, 167-169, 171-179, 182-200, 203-215, 218-225, and 228-237 are rejected under 35 U.S.C. §102(b) as being anticipated by Hendricks Hendricks '785. Claims 8, 58, 87, 137, 166, and 216 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hendricks '785 in view of Hendricks '548. Claims 22, 23, 43, 44, 68, 68, 101, 102, 147, 148, 201, 202, 226, and 227 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hendricks '785 in view of Maissel.

These rejections are respectfully traversed.

Applicants amended independent claims 1, 29, 51, 80, 108, 130, 159, 187, and 209 (and their dependent claims) are, generally speaking, directed towards methods and systems for providing audience size information to a user within an interactive television application. For example, the audience size information provided for a particular program may be updated based on receiving an indication of playbacks of recorded programs, calculated based on a graded approach of assigning points to the actions of a plurality of users, or updated based on receiving an indication of a user performing an action related to an upcoming program.

Hendricks refers to a television program delivery system provides users with a list of suggested programs based on the users viewing choices. The

system attempts to learn the users viewing choices and suggests programs that the subscriber is likely to watch. However, Hendricks does not show providing the user with audience size information within an interactive television application as required by applicant's amended independent claims 1, 29, 51, 80, 108, 130, 159, 187, and 209.

Accordingly, applicants respectfully request that the rejection of applicants' amended independent claims 1, 29, 51, 80, 108, 130, 159, 187, and 209 be withdrawn.

The remaining dependent claims all variously depend from amended independent claims 1, 29, 51, 80, 108, 130, 159, 187, and 209 that are novel and non-obvious over the prior art. Accordingly, applicants respectfully request that the rejection of these claims should also be withdrawn.

### Conclusion

For at least the reasons set forth above, applicants respectfully submit that claims 1-6, 8-11, 13-46, 50-56, 58, 60-85, 87-90, 92-125, 129-135, 137, 139-164, 166-169, 171-204, 208-214, 216, and 218-237 are in condition for allowance.

Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew Van Court", written over a horizontal line.

Andrew Van Court  
Registration No. 48,506  
Agent for Applicant  
Fish & Neave IP Group  
Ropes & Gray LLP  
Customer No. 1473  
1251 Avenue of the Americas  
New York, New York 10020  
Tel.: (212) 596-9000  
Fax: (212) 596-9090